

SENATE JOURNAL

Forty-third Legislature—Regular Session.

FIRST DAY.

Senate Chamber,
Austin, Texas,
January 10, 1933.

The Senate met at 12 o'clock noon, and was called to order by President Pro Tem. Ad Interim Grady Woodruff.

Prayer by the Rev. Virgil Fisher, pastor of the First Methodist Church, Austin.

Temporary Officers.

The Chair announced the appointment of the following temporary officers:

Secretary: Bob Barker.
Journal Clerk: Wendell O'Neal.
Calendar Clerk: Max Dryer.
Sergeant-at-Arms: A. W. Holt.
Doorkeeper: W. J. J. Terrell.

Roll Call of Holdover Senators.

The Secretary called the roll of holdover Senators, the following being present:

Cousins.	Parr.
Holbrook.	Purl.
Hopkins.	Rawlings.
Moore.	Russek.
Neal.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent.

Greer.

Roll Call of New Senators.

The Secretary called the roll of newly elected Senators, the following being present:

Beck, J. W. E. H.—District No. 1, DeKalb.
Blackert, E. J.—District No. 18, Victoria.
Collie, Wilbourne B.—District No. 24, Eastland.
DeBerry, Tom—District No. 8, Bogota.
Duggan, Arthur P.—District No. 30, Littlefield.
Fellbaum, Ernest—District No. 26, San Antonio.

1—Jour.

Hornsby, John W.—District No. 20, Austin.

Martin, Will M.—District No. 12, Hillsboro.

Pace, Will D.—District No. 7, Tyler.

Patton, Nat—District No. 5, Crockett.

Poage, W. R.—District No. 13, Waco.

Redditt, John S.—District No. 3, Lufkin.

Regan, K. M.—District No. 29, Pecos.

Sanderford, Roy—District No. 21, Belton.

Small, C. C.—District No. 31, Amarillo.

Stone, Albert—District No. 14, Brenham.

Certificate of New Senators.

The State of Texas
Department of State

I, Jane Y. McCallum, Secretary of State of the State of Texas, do hereby certify that the attached is a true and correct list of Senators whose names have been certified to this Department, in accordance with the law, as having been duly elected at the Election held in this State on November 8, 1932.

In Testimony Whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 5th day of January, A. D., 1933.

(Seal) JANE Y. McCALLUM,
Secretary of State.

New Members

State Senate, 43rd Legislature

District No. 1—J. W. E. H. Beck, DeKalb.

District No. 3—John S. Redditt, Lufkin.

District No. 5—Nat Patton, Crockett.

District No. 7—Will D. Pace, Tyler.

District No. 8—T. A. (Tom) DeBerry, Bogata.

District No. 12—Will M. Martin, Hillsboro.

District No. 13—W. R. Poage, Waco.

District No. 14—Albert Stone, Brenham.

District No. 18—E. J. Blackert, Victoria.

District No. 20—John W. Hornsby, Austin.

District No. 21—Roy Sanderford, Belton.

District No. 24—Wilbourne B. Collie, Eastland.

District No. 26—Ernest Felbaum, San Antonio.

District No. 29—K. M. Regan, Pecos.

District No. 30—Arthur P. Duggan, Littlefield.

District No. 31—C. C. Small, Amarillo.

Oath of Office.

The newly-elected Senators rose and were administered the oath of office by the Chair.

Appointments Announced.

The Chair announced the following appointments:

General pages: Robert Penick, Jack Meachum, Henry Redmond, Merton Walker, J. L. Walker, F. B. Jefferies, Lory White, Jack Snider, Theo Keeling.

Messenger for Governor's Office: Darwood Yates.

Messenger for Lieutenant Governor's Office: George Sparks, Jim Mitchell (half-time each).

Messengers for Secretary of Senate: Lew Borden, Bill Lea.

Elevator Operators: Russell Hicks, Allan Roberts (half time).

Messengers for Sergeant-at-Arms Room: Jack Corbitt, John Faubion.

Messenger for Telephone Booth: Lamar DuPree (daytime), Tom Davis, Brown Booth (night service).

Messengers for Mailing Room: Billy Ray Gullage, Richard Midkiff.

Porters: Tom Burton, Mail Carrier; Jim Jackson, Head Porter.

General Porters: Horace Nichols, Girome James, Gus Goss, J. B. Brown, Buck Green, Henry Brown, Joe Gordon, Arthur Johnson, Sam Grant.

Communication from Dr. Truett.

Senator Hornsby sent up the following communication:

Christmas 1932—New Year 1933.

My Friend: From my study, where it is my ever-increasing delight to have fellowship with all ages and conditions of our busy, battling, burdened humanity, let me send to you and yours, the age-old but ever-perennial greeting: "A Merry Christmas and a Prosperous New Year." And this greeting is meant not only for this current Christmas and New Year season, with its haunting charms, its wistful memories, its beckoning hopes, its renewed opportunity for the expression of friendliness and good will, but also, for all the unfolding and unending future.

As our hearts thrill again with the zest and tang of the Christmas Spirit, may we now hear more clearly than ever before, the prophetic Song of the Angelic Choir at Bethlehem: "Glory to God in the highest, and on earth Peace, Good Will toward men." May we summon ourselves anew, in the midst of all the clamor and confusion of our perplexed and troubled world, to dedicate our utmost strength, to further the cause of Peace and Good Will, everywhere, and always. May we envisage a world wherein the Golden Rule of mutual responsibility and good will shall one day become triumphant throughout all the earth.

At this zestful season for accentuated emphasis upon home reunions, and upon friendships both old and new, let us worthily relight the candles of good cheer and cooperative helpfulness, for those who are experiencing privations and restrictions which lay a heavy toll upon their homes and hearts. May we so voice our understanding sympathy and good will, as to give them new heart and hope, for all the days and duties ahead. Let us especially voice our best cheer for the little children and the aged; for the orphan and the underprivileged; for the poor and the needy; for the afflicted and the unfortunate; for the lonely and the discouraged; for the derelict and the unfriended. May we be experts in doing good to all, and in giving hurt to none.

As we pass from the Old Year to the New, let us make a faithful in-

ventory of all the higher values of life, even as we make such inventory of life's temporal affairs. Let us leave to the past all lingering asperities and bitter memories; all ugly jealousies and ungenerous competitions; all unreasoning prejudices and uncharitable judgments. Let us discard all worthless luggage, and repledge our highest and best to the supreme things, as we face the unknown days and demands awaiting us. May we faithfully realize that our divinely appointed mission in the earthly life is to do more than to make a living—we are to make a life. Let us not spoil the one, in seeking to gain the other. When we are tempted to take the short look, and allow ourselves to become self-centered place-seekers, may we quickly hear the Great Master's pained rebuke: "Whosoever would be first among you, shall be servant of all." May our lives be so rich in gracious words and deeds, that no loss of money or of health can ever make us poor.

Despite the murky bewilderment of the momentous and fast-changing days through which we are passing, let us go forward with purposes more thoughtfully intrepid, and with faith more sacrificially adventurous than ever before. May we be enabled to think clearly and without self-deception; to speak without pretense or exaggeration; to eschew utterly every subtle device of indirection and insincerity; and to act always with straightforward integrity. May we be given the wisdom and strength and courage, in scorn of consequence, inflexibly to devote our lives to the things worth living for, and if need be, worth dying for. In this critical testing hour for ourselves, for our country, and for the whole world, let us look wisely to our ideals and standards, remembering that high above all other standards is the standard of righteousness. May we vitally realize that our lives and our institutions are built upon the sand if they are not built upon righteousness; and may our consciences be ever-increasingly intoned to a far higher devotion to righteousness, in all the realms of life—personal, domestic, social, financial, governmental, educational, moral and religious. Ever and forever, may we devote our

worthiest thought and service to build all life upon the sure foundations of righteousness, knowing well that both the being and the well-being of civilized, orderly and enduring society must rest upon such foundations.

Realizing that we are so bound together in the bundle of life, that the hurt of one is the concern of all, and that the welfare of all should be the concern of each, may we worthily know that it is not enough to rescue some injured traveler on life's Jericho road, but we are also invisibly bound to make the road safe for every traveler. Let us ever be mindful that no one shall fall under a burden which may be lifted by us. May we face all life's duties, as seeing Him who is invisible. May we know that His way is the only safe and satisfying way, for the individual and the home; for capital and for labor; for the Church and for the State; for all the realms of life. Above all the plaintive voices of depression and discouragement, of broken plans and shattered expectations, of cynical unfaith and unreckoning disobedience, there comes the one clear call from the Throne of Eternal Righteousness: "This is the Way—walk ye in it." In Him alone may we find the total and final meaning of life.

As we journey on, may we learn to walk as blithely in the deep chasms where no sun shines, as upon the lighted mountain tops; and to maintain brave hearts in the midst of life's storms, as well as in its calms. If we would fain evade difficulties, hardships, sufferings and tears, may we remember that as the untempered steel is of little service, so is the untempered life. May we know that it takes more than sunshine and laughter to produce the strongest and most useful lives—the cloud and the rainfall and sometimes the storm must also play their part. Whatever the testing emergency that may come to us—the heavy burden; the harsh discouragement in life's temporal affairs; the smiting wind of disappointment; the invasion of death into the inner circle of our lives—whatever our Valley of Achor may be—may we be ever unafraid and triumphant, because of our anchorage to Him who is there within the shadows, keeping

watch above His own. May we know the glory of bravely going on, when life's road seems steep and its burden heavy, remembering that the straggler may sometimes wearily give up when in sight of the golden crown. In all the experiences of the earthly journey, whether amid scenes of mingled joy and pain, or under clouds wrapped in beauty and lined with golden glow, may the Immortal Hope unceasingly beckon us, onward and upward, until we go to the Beckoning Land, to look into the face of the Eternal Lover, and to greet again our absent loved ones who have vanished from us, through the passing years. And with Him and with them, in the Forever Land, may we journey on forever, in the perfect fulfillment of the infinitely blessed destiny which He has purposed for His friends.

Your friend,

GEORGE W. TRUETT.

Pastors' Study, First Baptist Church,
Dallas, Texas.

The communication was read.

Senator Hornsby moved that the communication be printed in the Journal. The motion was adopted unanimously.

Senator Neal sent up the following written motion:

I move the adoption of this message of hope and good will from Dr. George W. Truett, one of Texas' most distinguished and useful citizens; one of the leading divines of the nation, in fact "one of God's good men" as our "articles of faith" as we launch forth on our duties for the New Year and go forward to meet the responsibilities of the legislative session, which are ours by the votes of the people of this State."

NEAL.

The motion was adopted unanimously.

President Pro Tem.

The Chair announced that nominations for the office of President Pro Tem. of the Senate were now in order.

Senator Woodward nominated Senator Woodul. The nomination was seconded by Senators Holbrook, Beck, Patton, Russek, Purl, Small, Neal, Poage, Moore, DeBerry, Hornsby, Rawlings, Hopkins, Martin, and Oneal.

The Chair appointed Senators Hopkins, Murphy, and Collie, as tellers to collect and count the ballots. The tellers announced the following results:

Senator Woodul—29 votes.

The Chair declared Senator Woodul duly elected President Pro Tem. of the Senate and appointed Senators Woodward, Small, and Rawlings to escort the President Pro Tem.-Elect to the platform where the Chair administered the oath of office.

The Chair introduced Senator Rawlings, who introduced President Pro Tem. Walter Woodul, who briefly addressed the Senate and took the chair.

Senate Simple Resolution No. 1.

Resolved, That the Secretary of the Senate wire the Lieutenant-Governor of Texas our hearty greetings and best wishes and trust that he may soon be privileged to return to Texas to take up his important duties as Presiding Officer of this Body completely restored to health.

PURL,	MURPHY,
POAGE,	NEAL,
ONEAL,	PACE,
BECK,	PARR,
BLACKERT,	PATTON,
COLLIE,	RAWLINGS,
COUSINS,	REDDITT,
DeBERRY,	REGAN,
DUGGAN,	RUSSEK,
FELLBAUM,	SANDERFORD,
GREER,	SMALL,
HOLBROOK,	STONE,
HOPKINS,	WOODRUFF,
HORNSBY,	WOODUL,
MARTIN,	WOODWARD.
MOORE,	

Recess.

On motion of Senator Woodward, the Senate, at 1:05 o'clock p. m. recessed until 10 o'clock tomorrow morning.

APPENDIX.

Senate Members and Districts.

Beck, J. W. E. H., District No. 1, DeKalb.
Blackert, E. J., District No. 18, Victoria.
Collie, Wilbourne B., District No. 24, Eastland.

Cousins, W. R., District No. 4, Beaumont.
 DeBerry, Tom, District No. 8, Bogata.
 Duggan, Arthur P., District No. 30, Littlefield.
 Fellbaum, Ernest, District No. 26, San Antonio.
 Greer, Julian P., District No. 6, Elkhart.
 Holbrook, T. J., District No. 17, Galveston.
 Hopkins, W. K., District No. 19, Gonzales.
 Hornsby, John W., District No. 20, Austin.
 Martin, Will M., District No. 12, Hillsboro.
 Moore, Joe M., District No. 10, Greenville.
 Murphy, Cecil, District No. 9, Gainesville.
 Neal, (Miss) Margie E., District No. 2, Carthage.
 Oneal, Ben G., District No. 23, Wichita Falls.
 Pace, Will D., District No. 7, Tyler.
 Parr, A., District No. 27, Benavides.
 Patton, Nat, District No. 5, Crockett.
 Poage, W. R., District No. 13, Waco.
 Purl, George Clark, District No. 11, Dallas.
 Rawlings, Frank H., District No. 28, Fort Worth.
 Redditt, John S., District No. 3, Lufkin.
 Regan, K. M., District No. 29, Pecos.
 Russek, Gus, District No. 15, Schulenburg.
 Sanderford, Roy, District No. 21, Belton.
 Small, C. C., District No. 31, Amarillo.
 Stone, Albert, District No. 14, Brenham.
 Woodruff, H. Grady, District No. 22, Decatur.
 Woodul, Walter, District No. 16, Houston.
 Woodward, Walter C., District No. 25, Coleman.

FIRST DAY (Continued.)

Senate Chamber,
 Austin, Texas,
 January 11, 1933.

The Senate met at 10 o'clock a. m. pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

Bills and Resolutions.

By Senator Woodul:

S. B. No. 1, A bill to be entitled "An Act providing for the ordering of special elections to fill public offices and for fixing the time for the holding thereof; providing that special elections shall be ordered to fill vacancies in certain public offices; providing that special elections be ordered to elect a person to fill the unexpired term and a person to fill the succeeding term in certain offices where the incumbent is re-elected and thereafter dies, resigns or for any other reason a vacancy occurs in the unexpired term, and no person is legally entitled to fill the term to which the former officer was elected to succeed himself; providing that an election shall be ordered upon acceptance of resignation of the incumbent of certain offices where he tenders a resignation effective at a future date, to select a successor to the incumbent for the unexpired term; providing that where the officer-elect of certain offices dies before qualifying or becomes ineligible to qualify for the office to which he was elected, an election to select a successor to the incumbent shall immediately be ordered; designating the Governor as the proper officer to receive and accept resignations of public officers where no other officer is authorized to receive same; repealing Art. 2952, Revised Civil Statutes of 1925; validating elections heretofore made where same would have been authorized under this Act; providing that if any section, paragraph or provision hereof be held unconstitutional or invalid the remaining portions of this Act shall not be affected but shall remain in force and effect; and declaring an emergency."

Read and referred to Committee on Privileges and Elections.

By Senator Holbrook:

S. B. No. 2, A bill to be entitled "An Act appropriating the sum of two hundred thousand (\$200,000.00) dollars, or so much thereof as may be necessary, payable out of the general revenue and not otherwise appropriated, to pay the mileage of members, their per diem, and to pay the salaries and per diem of officers and employees of the Forty-third Legislature of the State of Texas; and declaring an emergency."